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FILED
 UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

CLERK, U.S. DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA

7/11/07

'07 MJ 2565

UNITED STATES OF AMERICA,

Plaintiff,

v.

Hector SANCHEZ

Defendant.

Magistrate Case No.


COMPLAINT FOR VIOLATION OF

Title 8, U.S.C., Section 1324(a)(2)(B)(iii)
 Bringing in Alien
 Without Presentation

The undersigned complainant being duly sworn states:

On or about **October 29, 2007**, at the **San Ysidro Port** of Entry, within the Southern District of California, defendant **Hector SANCHEZ**, with the intent to violate the immigration laws of the United States, knowingly and in reckless disregard of the fact that aliens, namely, **Ana Rosa CADENAS-Gomez** had not received prior official authorization to come to, enter and reside in the United States, did bring to the United States said alien, and upon arrival did not bring and present said alien immediately to an appropriate immigration officer at a designated port of entry; in violation of Title 8, United States Code, Section 1324(a)(2)(B)(iii).

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 Signature of Complainant
 Mario Avila, U.S Customs and Border
 Protection Enforcement Officer

Sworn to before me and subscribed in my presence this 31st day of **October 2007**.


 United States Magistrate Judge

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Probable Cause Statement

1
2 The complainant states that **Ana Rosa CADENAS-Gomez** is a citizen of a country other than
3 the United States; that said alien has admitted she is deportable; that her testimony is material;
4 that it is impracticable to secure her attendance at trial by subpoena; and that she is a material
5 witness in relation to this criminal charge and should be held or admitted to bail pursuant to Title
6 18, United States Code, Section 3144.

7 On October 29, 2007 at approximately 6:45 PM, **Hector SANCHEZ (Defendant)**, made
8 application for admission into the United States at the San Ysidro Port of Entry. Defendant was
9 the driver and sole visible occupant of a 1989 White Chevrolet Pick-up. Customs Border
10 Protection Officer (CBPO) received a negative declaration from the defendant. Defendant
11 declared to be a United States Citizen and presented his valid California Identification card
12 bearing his name and photograph. The Officer performed an examination of the vehicle and
13 discovered that the gas tank had been removed. When asked to present the registration of the
14 vehicle the officer noticed that the registration reflected it had been issued on today's date. The
15 officer escorted the vehicle and occupant to the secondary lot for a more thorough inspection.

16 In secondary a non-factory undercarriage compartment was discovered under the front and rear
17 seats of the vehicle. The Prosecution Unit was notified of the case. To gain access to the
18 compartment the front seat was moved forward, carpet was lifted revealing the entry access to the
19 concealment area. Upon removing a sheet metal panel two individuals were found concealed
20 within. A male and a female were assisted and removed from the compartment.

21 Further investigation revealed the two individuals to be a citizens and natives of Mexico with no
22 entitlements to enter the United States. The female is now identified as **Ana Rosa CADENAS-**
23 **Gomez (Material Witness)**.

24 The defendant was advised of his Miranda rights, acknowledged his rights and elected to answer
25 questions without benefit to counsel. The defendant admitted knowledge to the concealed aliens
26 in the vehicle. Defendant admitted he was present during the concealment of the aliens.
27 Defendant admitted he was going to receive a sum of \$1000 USD for smuggling the aliens into
28 the United States.

29 On a separate interview Material Witness declared to be a citizen of Mexico with no legal right
30 to enter the United States. Material Witness admitted her family made the smuggling
31 arrangements for her to be smuggled into the United States. Material Witness admitted her family
32 was going to pay \$3,000 USD upon successfully arriving to San Jose, California.